

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: John W. Hayes

Group Art Unit: 3621

In re Patent Application of:

Kevin M. Messina

:

Serial No.: 10/077,641

Filed: February 15, 2002

For: Authentication System for Identification

**Documents** 

Attorney Docket No. INTCHK C1

Commissioner of Patent P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT 37 C.F.R. §1.97 (d)

In accordance with the provisions of 37 C.F.R. §1.97-1.99, Applicant and its attorneys respectfully request that the reference cited on the attached Form PTO 1449 be made of record in the official United States Patent and Trademark Office file for the above-identified application.

The citations listed on Form PTO-1449 do not constitute an admission that the references are relevant or material to the claims.

Consideration of this Information Disclosure Statement is respectfully requested, since the information provided herein may be material to the patentability of the subject application as defined in 37 C.F.R. §1.56. The submission of references with this Information Disclosure Statement should not be construed by the Examiner that a comprehensive search through the prior art was conducted; it is requested that the Examiner make such a comprehensive search.

This Information Disclosure Statement is being submitted after Applicant's receipt of a Final Office Action. Accordingly, it is subject to the provisions of 37 CFR §1.97(d). The required statement under the 37 C.F.R. §1.97(d) and the payment of the required fee are being submitted with this Information Disclosure Statement. The Commissioner is authorized to charge any additional fee or credit any overpayment in such fees to Deposit Account No. 03-3839.

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Applicant respectfully requests that the Examiner consider and make of record the documents cited in Form PTO 1449. Applicant further requests that a copy of the Form PTO-1449, appropriately initialed by the Examiner, be returned to Applicant's attorney.

If the Examiner has any questions or comments relating to the present application, he or she is respectfully invited to contact applicant's attorney at the telephone number set forth below.

Please address all correspondence to the correspondent address for Customer No. 26345 of Gibbons, Del Deo, Dolan, Griffinger & Vecchione. Telephone calls should be made to David R. Padnes by dialing Area Code (973) 596-4671.

Date:

- (

Gibbons, Del Deo, Dolan, Griffinger & Vecchione One Riverfront Plaza Newark, New Jersey 07102-5496 Phone (973) 596-4500 Respectfully submitted,

David R. Padnes Reg. No. 28,384 Attorney for Applicant

## STATEMENT UNDER 37 C.F.R §1.97(d)

The undersigned makes the following declaration to the best of his knowledge and belief:

No item of information contained in the accompanying information disclosure statement dated December 2, 2004 was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Date: 12/2/04

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PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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a salidie loi loilli 1449/F I O	Application Number	10/077,641		
INFORMATION DISCLOSURE	Filing Date	February 15, 2002		
STATEMENT BY APPLICANT	First Named Inventor	Kevin M. Messina		
(Use as many sheets as necessary)	Art Unit	3621		
(Use as many sneets as necessary)	Examiner Name	John W. Hayes		
Sheet 1 of 1	Attorney Docket Number	INTCHK C1		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*			T²
		Expert Report of Ray Streckenrider, dated September 8, 2004	
		The Rebuttal Report of Victor Zazzu, dated October 6, 2004	
		Expert Rebuttal Report of Ray Streckenrider, dated October 18, 2004	

Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.